

REMARKS

Claims 1-13 are pending in this application. Claims 1, 5, and 13 are independent. In light of the remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-8 and 13 under 35 U.S.C. § 103(a) as being unpatentable over *Donoho et al.* (USP 6,801,929) in view of *Focsaneanu et al.* (USP 5,991,292); rejected claims 2, 4, 6 and 8 under 35 U.S.C. § 103(a) as being unpatentable over *Donoho et al.* in view of *Focsaneanu et al.* and further in view of *Stumer* (U.S. Patent Application Publication No. 2002/0064271); and rejected claims 9-12 under 35 U.S.C. § 103(a) as being unpatentable over *Donoho et al.* in view of *Focsaneanu et al.* and further in view of *Kang* (U.S. Patent Application Publication No. 2003/0074450). Applicants respectfully traverse these rejections.

Applicants thank the Examiner for indicating the preferred format for numbering each line of every claim. Applicants further thank the Examiner for advising Applicants regarding the parent priority applications.

Preliminary Comments

In paragraph 5. of the outstanding Official Action, the Examiner rejects claims 1-8 and 13 under 35 U.S.C. § 103(a) as being unpatentable over *Donoho et al.* in view of *Focsaneanu et al.*

However, the Examiner only discusses the rejection of claims 1, 3, 5, 7, and 13. The Examiner discusses the rejection of claims 2, 4, 6, and 8 in paragraphs 14.-18. in applying the *Donoho et al.*, *Focsaneanu et al.*, and *Stumer* references. Applicants respectfully request clarification of the references that the Examiner is utilizing in order to reject the pending claims.

Additionally, in paragraph 14. of the outstanding Official Action, the Examiner asserts "claims 2, 4, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donoho et al. (hereinafter "Donoho"), US 6,237,114,...". Applicants respectfully submit that U.S. 6,237,114 is issued to *Wookey et al.* Applicants will respond to the Examiner's rejections as best as they can understand them. However, Applicants respectfully request clarification of exactly which references the Examiner is relying upon in support of his rejection of the pending claims.

**Claim Rejections - 35 U.S.C. § 103(a) -
*Donoho et al./Focsaneanu et al.***

The Examiner rejected claim 1, asserting the teachings of *Donoho et al.* and *Focsaneanu et al.* render claim 1 obvious. Specifically, the Examiner asserts that *Donoho et al.* discloses the properties file producing device, citing to col. 8, lines 55-67. Applicants respectfully disagree with the Examiner's characterization of this reference.

The disclosure of *Donoho et al.* is directed to a relevance clause for computed relevance messaging. The system enables a collection of computers and associated communications infrastructure to offer a new communications process which allows information providers to broadcast information to a population of information consumers. Specifically, at col. 8, lines 45-67, *Donoho et al.* discloses as follows:

A typical relevant advisory is reported to a consumer as follows:

Your computer has a certain combination of hardware and software and settings. Computers with this combination have frequently been reporting a particular problem. Our company has a solution. It will change your computer settings. If you accept to use this solution, your problem will go away. This solution has been rigorously tested before release, and represents our best known way of dealing with this problem.

The advice consumer reviews such relevant advisories 100 (see FIG. 7), and acts on the advisories 110, for example by ignoring the advisory 111. Otherwise, the user potentially deliberates, which deliberation may include informing himself further about the advisory or its author 112, informing others of the advisory 113, or taking some other offline action 114 and then, depending on the outcome of the deliberation, he approves or denies approval. If the consumer gives approval, an automatic solution may result, which may involve a variety of activities, including software downloading 72, installation, and execution 71, an automatic electronic response 73, or the purchase or order of a digital object 70.

In other words, the system displays an advisory to the consumer and waits for the consumer to review the advisory and input how the consumer wants to respond.

In contrast, the present invention as set forth in claim 1 provides for an informing system for informing a user through a local area network, comprising a properties file producing device that produces a properties file showing at least one of whether or not an informing job has priority over other informing jobs, whether the informing job will be performed automatically or manually, a range of the informing job, and which communication apparatus will perform the informing job.

It is respectfully submitted that *Donoho et al.* fails to teach or suggest the properties file producing device of the present invention. There is no disclosure that is directed to producing a properties file. Any action that is taken by the system is done based upon real time user input. There is no teaching or suggestion of a properties file in the cited reference. As such, *Donoho et al.* fails to teach this claim element. As *Focsaneanu et al.* fails to teach this claim element, *Focsaneanu et al.* fails to cure the deficiencies of the teachings of *Donoho et al.* As such, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-4 are allowable for the reasons set forth above with regard to claim 1 at least based upon their dependency on claim 1. It is further respectfully

submitted that claims 5 and 13 contain elements similar to those discussed above with regard to claim 1, and thus these claims, together with claims dependent thereon, are not obvious over the references as cited by the Examiner.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

 #40439

By _____
Marc S. Weiner, #32,181


MSW/CMV/jdm
0879-0347P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000